



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 30, 2009

Administrative Judge
Lawrence G. McDade, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Richard E. Wardwell
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Kaye D. Lathrop
190 Cedar Lane East
Ridgeway, CO 81432

In the Matter of
ENERGY NUCLEAR OPERATIONS, INC.
(Indian Point Nuclear Generating Station Units 2 and 3)
Docket Nos. 50-247-LR and 50-286-LR

Dear Administrative Judges:

Pursuant to the Atomic Safety and Licensing Board's December 18, 2008, "Memorandum and Order (Addressing Requests that the Proceeding be Conducted Pursuant to Subpart G)," slip op. at 13, and the Licensing Board's "Order (Granting Consent Motion Regarding Mandatory Disclosures)," dated January 30, 2009, at 1, the staff of the U.S. Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that the hearing file has been supplemented for this proceeding. Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index containing the ADAMS accession number, date, and title or description of each item in Hearing File Index, Supplement 3 is appended hereto as Attachment 1.

On or about May 4, 2009, the newly identified documents in the hearing file will be made available via the Electronic Hearing Docket ("EHD"), which may be accessed at the following URL: http://ehd.nrc.gov/EHD_Proceeding/home.asp. The hearing file will be contained in a sub-folder entitled, "Indian PT Hearing File, Supplement 3" in the "Indian_PT_2&3_50-247&50-286-LR" folder of the EHD.

Further, pursuant to 10 C.F.R. § 2.336(c), attached is the Affidavit of Andrew L. Stuyvenberg, certifying that all relevant materials required by this section have been disclosed, and that the disclosures are accurate and complete as to documents identified by April 24, 2009. Finally, the NRC Staff notes that it has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.336(b) and 10 C.F.R. § 2.1203 in this

Judge McDade
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Judge Wardwell

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proceeding. In identifying these documents, the Staff does not concede their relevance to the license renewal issues to be decided in this proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Harris", with a long horizontal flourish extending to the right.

Brian G. Harris
Counsel for NRC Staff

Enclosures: Attachment 1 - Hearing File Index, Supplement 3
Affidavit of Andrew L. Stuyvenberg

cc w/Encls.: Service List

Attachment 1 - Indian Point License Renewal Hearing File Index
Supplement 3 - April 30, 2009

ID #	Accession Number	Document Date	Title
03-001	ML090540426	2/26/2009	Summary of Teleconference Held on January 27, 2009, Between the USNRC Staff and Entergy Representatives to Discuss NRC Analysis of Aquatic Impacts in Supplement 38 NUREG-1437.
03-002	ML090830518	3/12/2009	Indian Point Nuclear Generating, Units 2 and 3 - Response to Safety Evaluation Report with Open Items Related to the License Renewal.
03-003	ML090710320	3/13/2009	Summary of Telephone Conference Calls Held Btw Feb. 9 and 17, 2009, Between USNRC and Entergy Nuclear Operations, Inc., Concerning Indian Point Nuclear Generating Unit Nos. 2 and 3, License Renewal Application- Status of Open Items.
03-004	ML090850126	3/26/2009	2009/03/26 Indian Point LR Hearing - RE: Follow-up regarding 2/24/2009 BA Letter
03-005	ML090850187	3/26/2009	2009/03/26 Indian Point LR Hearing - RE: Follow-up regarding 2/24/2009 BA Letter
03-006	ML090920150	4/3/2009	Request for Additional Information for the Review of the Indian Point Nuclear Generating Unit Nos. 2 and 3, License Renewal Application - Open Items.
03-007	ML090970533	4/7/2009	2009/04/07 Indian Point LR Hearing - RE: NL-09-036 - Comments on NUREG-1437, Draft Supplement 38
03-008	ML090990718	4/9/2009	2009/04/09 Indian Point LR Hearing - Draft Teleconference Call Summary - April 1, 2009
03-009	ML090930495	4/9/2009	Summary of Telephone Conference Call Held on April 1, 2009, Between The U.S. Nuclear Regulatory Commission and Entergy Nuclear Operations, INC., Concerning Draft Request for Additional Information Pertaining to the Indian Point Nuclear Generating
03-010	ML091100035	4/13/2009	2009/04/13 Indian Point LR Hearing - RE: Draft Teleconference Call Summary - April 1, 2009
03-011	ML091100037	4/13/2009	2009/04/13 Indian Point LR Hearing - RE: Draft Teleconference Call Summary - April 1, 2009

April 30, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
ENTERGY NUCLEAR OPERATIONS, INC.)	Docket Nos. 50-246 & 50-286-LR
OPERATIONS, INC.))	
)	ASLBP No. 07-858-03-LR-BD01
(Indian Point Nuclear Generation Station,)	
Units 2 and 3))	

AFFIDAVIT OF ANDREW L. STUYVENBERG CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Andrew L. Stuyvenberg, do hereby state as follows:

1. I am employed as a Project Manager in the Division of License Renewal in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as a project manager for the Indian Point Nuclear Generating Station, Units 2 and 3 license renewal application ("LRA"). Among other things, I am managing the preparation of the hearing file and mandatory disclosures in connection with the LRA at issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (c) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete for documents identified as of April 24, 2009.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.


Andrew L. Stuyvenberg

Executed in Rockville, Maryland
this 30th day of March, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ENTERGY NUCLEAR OPERATIONS, INC.) Docket Nos. 50-247/286-LR
)
(Indian Point Nuclear Generating)
Units 2 and 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Letter to the ASLB regarding the Indian Point Hearing File, including: Attachment 1 - Indian Point License Renewal Hearing File Index Supplement 3 and Affidavit of Andrew L. Stuyvenberg, dated April 30, 2009, have been served upon the following through deposit in the NRC's internal mail system, with copies by electronic mail, or, as indicated by an asterisk, by deposit in the U.S. Postal Service, with copies by electronic mail this 30th day of April, 2009:

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